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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SANG-WOON KWAK)
Serial No.: 10/529,801) Group Art Unit:
Filed: MARCH 30, 2005) NYA
For: NON-SHRINK HIGH VISCOSITY CHEMICAL)
GROUT)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

VIA FACSIMILE: 571-273-8300

Mail Stop: OFFICE OF PETITIONS

Assistant Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notice of Abandonment dated November 18, 2005, Applicant submits this Petition to Withdraw Holding of Abandonment under 37 C.F.R. §1.181(a). Consideration and withdrawal of the holding of abandonment are requested.

REMARKS

In the Notice of Abandonment dated November 18, 2005 the present application is indicated as being abandoned for failure to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495 (b)(2)).

Applicant respectfully submits that the full U.S. Basic National Fee by 30 months was provided with the U.S.P.T.O. on March 30, 2005, which was within 30 months from the priority date of October 2, 2002. Thus the present application was not abandoned in fact. In this regard, Applicant respectfully submits evidencing materials as Attachments 1-3.

Attachment 1:

Attached is a copy of the Information Disclosure Statement filed on March 30, 2005. The Information Disclosure Statement showed that the Applicant authorized the Commission of Patents to charge any additional fee to the Deposit Account No. 06-1130.

Attachment 2:

Attached is a copy of the preliminary amendment filed on March 30, 2005. The preliminary amendment showed that the Applicant authorized the Commission of Patents to charge any additional fee to the Deposit Account No. 06-1130.

Attachment 3:

Attached is a copy of the return postcard with a stamp of the Office showing that the U.S.P.T.O. had received the present application, Information Statement, and the preliminary amendment on March 30, 2005, and that the filing fee of \$525.00 was authorized to be charged to the Deposit Account No. 06-1130.

The documentary evidence discussed herein and submitted herewith clearly

establishes that the full U.S. Basic National Fee by 30 months (37 CFR 1.495 (b)(2)) was provided with the U.S.P.T.O. on March 30, 2005, which was within 30 months from the priority date. Accordingly, Applicant herein petitions to withdrawal the holding of abandonment set forth in the Notice of Abandonment dated November 18, 2005.


Pursuant to MPEP § 711.03(c)I, no fee is required for the present Petition. However if there are any charges due with respect to this Petition or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

For at least the reasons set forth herein above, the holding of Abandonment is improper and may not be maintained, and withdrawal thereof is respectfully requested. Further, the charge of \$525.00 of the full U.S. Basic nation Fee by 30 months to the Deposit Account No. 06-1130 is respectfully requested, as requested by the Applicant on March 30, 2005.

The Examiner is invited to contact the undersigned at the below-listed telephone number regarding this Petition or otherwise concerning the present application.

Respectfully submitted,

CANTOR COLBURN LLP

By: 
Limited Recognition No. L0017
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone: (860) 286-2929
Fax: (860) 286-0115
PTO Customer No. 23413

Dated: December 7, 2005

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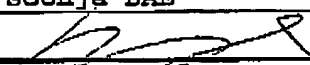
ATTACHMENT

1

COPY**INFORMATION DISCLOSURE STATEMENT**

ATTY. DOCKET NUMBER YEI-0002 SERIAL NUMBER NYA FILED 3/30/2005
 FIRST INVENTOR: SANG-WOON KWAK TITLE NON-SHRINK HIGH VISCOSITY
CHEMICAL GROUT
 EXAMINER NYA ART UNIT NYA

1. ☒ Applicant submits herewith a copy of (a) attached form PTO-1449, which lists all patents, publications, applications, or other information submitted for consideration by the Office; (b) a legible copy of each document required by 37 C.F.R. §1.98(b)(2).
 2. ☐ Applicant herein apprises the Patent Office of references cited in a parent U.S. application from which this application obtains the benefit of an earlier filing date under 35 U.S.C. §120. The Serial Number of the parent application is U.S. Application _____ and entitled _____
 The publications cited therein are listed on attached Form PTO-1449. In accordance with 37 C.F.R. §1.98(d) copies of the listed publications are not required. ☐ Additional parent patent applications are listed on an attached sheet.
 3. ☒ In accordance with 37 C.F.R. §1.98(e)(3), Applicant hereby certifies that for each reference not in English (check at least one box below):
☐ A copy of a translation of one or more non-English document, or portion thereof, is provided herewith;
☒ A concise explanation is (check at least one box below):
☒ provided in the accompanying foreign or international search report; ☐ incorporated into the specification; and/or ☐ provided herewith.
- 37 C.F.R. §1.97(b)(1), (b)(2) - WITHIN 3 MONTHS OF FILING OR ENTRY IN NATIONAL STAGE**
4. ☒ Since this Information Disclosure Statement is being filed within three months of the filing date of the subject application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application, no fee or certification under 37 C.F.R. §1.97(e) is required.
- 37 C.F.R. §1.97(b)(3), (b)(4) - PRIOR TO MAILING OF FIRST OFFICE ACTION OR FIRST ACTION AFTER REQUEST FOR CONTINUED EXAMINATION**
5. ☐ Since this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114, no fee or certification under 37 C.F.R. §1.97(e) is required.
- 37 C.F.R. §1.97(c) - AFTER FIRST ACTION, BEFORE FINAL ACTION OR ALLOWANCE**
6. ☐ Since this Information Disclosure Statement is being filed outside of the period provided for in 37 C.F.R. §1.97(b), but before the mailing date of a Final Rejection or Notice of Allowance, this submission is being accompanied by (one of the following boxes must be checked):
 a. ☐ the fee required under 37 C.F.R. §1.97(c)(2) and specified in 37 C.F.R. §1.17(p).
 b. ☐ the statement specified in 37 C.F.R. §1.97(e) (Box 8 or 9 must be checked).
- 37 C.F.R. §1.97(d) - AFTER FINAL REJECTION OR ALLOWANCE**
7. ☐ Since this Information Disclosure Statement is being filed after the period specified in 37 C.F.R. §1.97(c), but on or before payment of the issue fee and is accompanied by both the statement specified in 37 C.F.R. §1.97(e) and the fee set forth in 37 C.F.R. §1.17(p). (Box 8 or 9 must be checked.)
 8. ☐ In accordance with 37 C.F.R. §1.97(e)(1), Applicant's attorney certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. ☐ The foreign or international search report(s) is/are enclosed.
 9. ☐ In accordance with 37 C.F.R. §1.97(e)(2), Applicant's attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.
 10. ☒ In the event the Commissioner of Patents deems that any additional fee is required under 37 C.F.R. §§ 1.16 or 1.17 in connection with this application, Applicant's attorneys authorize that such fee be charged to Deposit Account No. 06-1130.
 11. Consideration of this Information Disclosure Statement is respectfully requested.

Name:	<u>Soonja BAE</u>	Registration Number	<u>SEE ATTACHED</u>
Signature		Date	<u>March 30, 2005</u>
CERTIFICATE OF MAILING OR TRANSMISSION: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or [] facsimile transmitted to the U.S. Patent and Trademark Office to Facsimile No. _____ on the date shown below.			
Name	<u>Paula Currie</u>	Date	<u>March 30, 2005</u>
Signature			



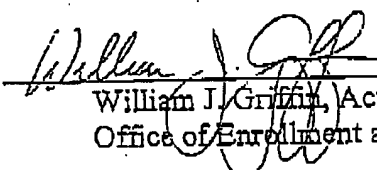
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE

LIMITED RECOGNITION UNDER 37 CFR § 11.9(b)

Soonja Bae is hereby given limited recognition under 37 CFR § 11.9(b) as an employee of Cantor Colburn LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Cantor Colburn LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Cantor Colburn LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Soonja Bae ceases to lawfully reside in the United States, (ii) Soonja Bae's employment with Cantor Colburn LLP ceases or is terminated, or (iii) Soonja Bae ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: July 22, 2005



William J. Griffin, Acting Director
Office of Enrollment and Discipline

ATTACHMENT

3

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF:

Attorney Docket: YEI-0002
Date Mailed: March 30, 2005
Applicant: Sang-Woon KWAK

10/529801

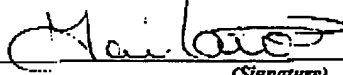
For:

NON-SHRINK HIGH VISCOSITY CHEMICAL GROUT

Certificate of Mailing by Express Mail (1 page); Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371 (2 pages); English Language translation of International Patent Application (21 pages); Drawings (5 pages); Preliminary Amendment (5 pages); Limited Recognition Under 37 C.F.R. §11.9(b)(1 page); Information Disclosure Statement (1 page); Form PTO-1449 w/Six (6) cited references (1 page); Claim for Priority (1 page); Authorization to debit and/or credit Deposit Acct. No. 06-1130 - Filing Fee-\$ 525.00 and Postcard Receipt Mailed to USPTO, Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: March 30, 2005 via Express Mail Label No. EV514433844 US
Received in the USPTO on:

JC05 Rec'd PCT/PTO 30 MAR 2005

DEC 07 2005

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. YEI-0002
Applicant(s): Sang-Woon KWAK			
Application No. 10/529,801	Filing Date 3-30-2005	Examiner NYA	Group Art Unit NYA
Invention: NON-SHRINK HIGH VISCOSITY CHEMICAL GROUT			
<p>Petition to Withdraw Holding of Abandonment Under 37 C.F.R. §1.181(a) (3 pages), Copy of Information Disclosure Statement - Attachment 1 (1 page), Copy of Preliminary Amendment - Attachment 2 (5 pages), Copy of USPTO stamped Postcard receipt - Attachment 3 (1 page) and Authorization to debit and/or credit Deposit acct. no. 06-1130</p> <p>I hereby certify that this _____ (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)</p> <p>on <u>December 7, 2005</u> (Date)</p> <p style="text-align: right;">Tammie Lanthier (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: SANG-WOON KWAK

COPY

FOR: NON-SHRINK HIGH VISCOSITY CHEMICAL GROUT

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to the Examiner acting in the above-referenced application, please
preliminary amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2
of this paper.

Remarks begin on page 5 of this paper.

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01 FC:2011	150.00 DA
02 FC:2111	250.00 DA
03 FC:2311	100.00 DA
04 FC:2202	25.00 DA

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AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listing, of claims in the application:

1. (Original) A non-shrink high viscosity chemical grout comprising:
on the basis of solid content,
 - a) 100 parts by weight of a room temperature curable organic liquid phase resin;
 - b) 10 to 200 parts by weight of glass beads; and
 - c) 10 to 500 parts by weight of glass powder.
2. (Original) The non-shrink high viscosity chemical grout according to claim 1, wherein the a) room temperature curable organic liquid phase resin is selected from the group consisting of an epoxy based resin and a polyurethane based resin.
3. (Original) The non-shrink high viscosity chemical grout according to claim 2, wherein the epoxy based resin is a non-solvent or solvent diluting epoxy resin having molecular weight of 350 to 3000 MW of diglycidyl type or triglycidyl type.
4. (Original) The non-shrink high viscosity chemical grout according to claim 1, wherein the b) glass beads have particle diameter of 200 mesh to 3 mm.
5. (Original) The non-shrink high viscosity chemical grout according to claim 1, wherein the c) glass powder has particle diameter of 10 μ m to 1 mm.
6. (Original) The non-shrink high viscosity chemical grout according to claim 1, wherein the grout has viscosity of 1000 to 20000 cps.
7. (Currently Amended) A non-shrink high viscosity chemical grout comprising the components of the non-shrink high viscosity chemical grout according to any one of claims 1 to 6, and, on the basis of 100 parts by weight of the a) room temperature curable organic liquid phase resin, d) 1 to 50 parts by weight of glass fiber.

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8. (Original) The non-shrink high viscosity chemical grout according to claim 7, wherein the d) glass fiber is a chopper fiber prepared by cutting a long glass fiber of E-glass composition to a length of 2 to 12 mm, or a milled fiber prepared by milling the same to a length of 100 to 300 μm

9. (Original) The non-shrink high viscosity chemical grout according to claim 7, wherein the chemical grout has viscosity of 15000 to 20000 cps.

10. (Currently Amended) A method for repairing and reinforcing a construction, which uses the non-shrink high viscosity chemical grout of claim 1 ~~or claim 9~~.

11. (Original) The method for repairing and reinforcing a construction according to claim 10, which comprises the steps of cleaning the surface of a part to be reinforced or around cracks of a construction, coating the surface with the non-shrink high viscosity chemical grout, and curing the coated surface to form a coating film.

12. (Original) The method for repairing and reinforcing a construction according to claim 10, which comprises the steps of installing an injection pack on the upper part of cracks of a construction to inject the non-shrink high viscosity chemical grout on the upper part of cracks by free fall caused by gravity or by applying pressure, removing the injection pack, and finish-treating the cracked surface.

13. (Original) The method for repairing and reinforcing a construction according to claim 10, wherein a part of a construction to be filled is cleaned and then filled with the non-shrink high viscosity chemical grout.

14. (Original) The method for repairing and reinforcing a construction according to claim 13, wherein the construction has cracks having width of 0.5 mm or more, or corroded inner steel reinforcing, and a part to be filled is filled with the non-shrink high viscosity chemical grout without conducting a separate U or V type cutting.

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15. (Original) The method for repairing and reinforcing a construction according to claim 10, wherein reinforcement is integrated into the construction, and the non-shrink high viscosity chemical grout is used as an adhesive.

16. (Original) The method for repairing and reinforcing a construction according to claim 10, wherein a carbon fiber is impregnated into the non-shrink high viscosity chemical grout and then pulled up, and adhered and cured to a direction of main reinforcement of a concrete.

17. (Original) The method for repairing and reinforcing a construction according to claim 10, wherein a carbon fiber is impregnated into the non-shrink high viscosity chemical grout and cured to prepare a panel, and the panel is adhered to a construction.

18. (Original) The method for repairing and reinforcing a construction according to claim 10, wherein a damaged part of an underwater or submerged construction is restored with the non-shrink high viscosity chemical grout.

19. (Currently Amended) A method for repairing and reinforcing a bottom of a ship, which uses the non-shrink high viscosity chemical grout according to claim 1 or claim 9.

20. (New) A method for repairing and reinforcing a construction, which uses the non-shrink high viscosity chemical grout of claim 9.

21. (New) A method for repairing and reinforcing a bottom of a ship, which uses the non-shrink high viscosity chemical grout according to claim 9.

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REMARKS

Applicant requests entry of the above-identified amendments, which conform the claims to U.S. practice. In the claim amendments, claims 7, 10, and 19 have been amended, and new claims 20-21 have been added. No new matter is being introduced by this Amendment as antecedent support is set forth in the specification and the original claims.

Prosecution on the merits is respectfully requested. If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Soonja Bae
Registration No. (See Attached)
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55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Customer No. 23413

Date: March 30, 2005